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Such is the history of the French language in England ; a language which though long since discarded, has left behind it voluminous records of its former power, and still struggles to make itself heard amid “the noisy strife of the hoarse-clamoring bar,” in the title of a statute or a term of court, and the loud *Oyes!* of the crier. It came first into use as a cunning contrivance of state policy ; it continued in use from the respectability of ancient custom ; it went out of use from the persuasion, that a general intelligence of the law is better than either political contrivance or ancient custom.

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- ART. II. — 1. BOECKH ; *Erklärung einer Aegyptischen Urkunde in Griechischer Cursivschrift vom Jahre 104 vor den Christlichen Zeitrechnung*. (Explanation of an Egyptian Document in Greek cursive Writing, of the Year 104 before the Christian Chronology. By Professor BOECKH. From the Transactions of the Historical and Philological Class of the Prussian Royal Academy of Sciences.)
2. BUTTMANN ; *Erklärung der Griechischen Beischrift auf einem Aegyptischen Papyrus aus der Minutoli'schen Sammlung*. (Explanation of the Greek Marginal Writing upon an Egyptian Papyrus in Minutoli's Collection. By Professor BUTTMANN. From the same Academy's Transactions.)

SEVERAL years ago, by a most remarkable concurrence of circumstances, the learned world was put in possession of some original and very ancient legal documents from Egypt, which throw light on the jurisprudence of that renowned country. But, though they have been so long known to antiquaries and scholars, generally, and have not escaped the notice of the jurists also, on the continent of Europe, we regret, for the honor of a liberal profession, to be obliged to say, that we have not seen any allusion to them in the *juridical* journals either of Great Britain or of this country.

It is true, indeed, that, if the value of the historical records of our race is to be measured by their capacity of being turned to account in a pecuniary view, — if an Egyptian deed of real estate, and the record of an Egyptian law-

suit, are to be estimated only by their utility as precedents for modern conveyancers or special pleaders, — they will hardly repay the trouble of a single perusal. But if, as Sir William Jones observes, “the law be a science,” then, as in other sciences, comparative views of the jurisprudence of different nations and different ages, or, in other words, an extended process of induction cannot fail to remunerate the scientific lawyer, as well as the statesman and general inquirer, for bestowing a portion of his leisure hours upon such researches. Under the conviction, therefore, that some of our professional, as well as general, readers will take an interest in the subject of the present article, — and we can assure them all, that, if there is any want of interest in this case, it will be owing, not to the subject itself, but to our manner of treating it, — we shall proceed to give a brief account of one of the extraordinary documents in question; which is an Egyptian deed of a piece of land in the city of Thebes, written on the papyrus of that country, more than a century before the Christian era, with the impression of a seal, or stamp, attached to it, and a certificate of registry on its margin, in as regular a manner as the keeper of the registry in the county of Suffolk would certify to a deed of land in the city of Boston at this day. Well may we exclaim, with the sage of holy writ, “Is there any thing whereof it may be said, See this is *new*? It hath been already of old time, which was before us; there is no new thing under the sun.”

Before we proceed, however, to the contents of this remarkable conveyance, a brief history of the circumstances connected with its discovery will not be uninteresting. We shall follow the account given of it by the learned Professor Boeckh, of Berlin, who, with the coöperation of his distinguished colleagues, Professors Ideler, Bekker, and Buttmann, translated and elucidated it in the Transactions of the Berlin Academy of Sciences.* In connexion with that account we shall avail ourselves of some emendations and remarks of Dr. Thomas Young, who has justly acquired an enviable celebrity by his discoveries in the hieroglyphic language of Egypt, as well as by his various works in numerous departments both of science and literature. It may

* *Abhandlungen der historisch-philologischen Klasse der Königlich Preussischen Akademie der Wissenschaften.*

not be amiss for us to remark, in passing, that, by a letter received from Professor Boeckh during the last year, we are informed, that, although his Memoir upon this Egyptian document has been long published, nothing further of importance has been since discovered to throw any new light upon the subject of it, or upon Egyptian jurisprudence in general.

The original manuscript Deed in question is written in the *Greek language*, — as was common while Egypt was under its Greek dynasty, — and is known among the learned as *the Papyrus of Mr. Anastasy*, the Swedish consul at Alexandria, to whom it belonged. A perfect fac-simile, exhibiting even the blemishes and coloring of the original, was obtained by General Minutoli, and transmitted by him to the Royal Academy of Sciences in Berlin about the year 1820; and from this fac-simile, an engraving of which is given in the Berlin Transactions above referred to, a translation of the document was made, accompanied with elucidations by the eminent scholars above named. The *fac-simile* annexed to the present article, was made from the Berlin engraving, (without being *drawn* anew,) by the new and admirable process in lithography, called *Dixon's Transferring Process*, from the name of an ingenious American, Mr. Joseph Dixon, of Taunton in Massachusetts; of which we shall give some account in a note at the end of this article.

The *writing*, notwithstanding it is 1944 (or 1946) years old, is in good preservation; the substance of the *papyrus* itself is of an extraordinary firmness; and the dryness of the tomb, in which the manuscript is supposed to have been deposited, together with the balsamic preparation of the mummy, by whose side the roll was doubtless placed, must have been favorable to its preservation; the papyrus itself, too, appears to have been balsamic, as, on being burnt, it emitted an aromatic smoke.

The manuscript is an original instrument of sale of a piece of land in the city of Thebes, bought by one *Nechutes*; and it was probably in his tomb, that the document was found, where the sanctity of the place would the better insure its safe preservation. On the left hand margin there is the figure of a human head, which is either a stamp or a seal, and which has a beard, according to the Greek custom.

This document is, in many respects, of the highest in-

terest. In the first place, we learn from it several circumstances relating to the Egyptians ; and then it is extremely valuable, as a memorial, in the history of the *written* language of Greece. In relation to this last point, it should be recollected, that there has long been a dispute, whether the Greeks, in the common business of life, used an alphabet of *small* letters, technically called, by scholars, *cursive* letters, or had only the *uncial* or capital letters, which have come down to us in the inscriptions upon their marble monuments and their coins. For, although the Greeks of the present day have an alphabet of small letters, the origin of which has not been traced, yet all the manuscripts of the classic authors of Greece which are now extant in the cursive character, are of comparatively modern date ; and, hence, some learned men have too hastily drawn the conclusion, that the small letters of the modern Greeks are one among their many supposed corruptions of the language of their fathers. Hitherto we have never had so ancient an authentic monument of a complete *cursive* or running hand, as the instrument now in question. The inscription from a leaden plate, which was found in a tomb near Athens, and published by Akerblad, was not *cursive*, except a little unconnected scrawl in it ; and the material was not adapted to a cursive handwriting. The verse of Euripides's Antiope,

Ὡς ἐν σοφὸν βούλευμα τὰς πολλὰς χεῖρας [χέρας] νικᾷ,

which was found, in the year 1743, upon an ancient wall at Resina, in Italy, in cursive letters, and having accents and breathings, though received as genuine by Villoison and some other scholars, is now generally believed to be modern, and may have been written on the wall in sport. Some genuine traces, however, of a cursive character, appear in the scrawls, made by the soldiers, upon the pillars of the barracks in Pompeii, which were discovered near the entrance, in the year 1767 ; but these are not of importance. And, finally, the papyrus inscription, which Schow published, and which is genuine, is not more ancient than the second or third century of the Christian era. But, in the document now under our consideration, we have a specimen of cursive writing, of an ascertained date, at least as early as the year 104 *before* Christ ; and we may safely conclude, that a cursive hand was in use before that period. It is worthy of

remark, too, as we may infer from this document, that the Greek language was already in general use in Egypt, — even Upper Egypt, — as the legal or official language in transactions of business.

The writing in question consists of two separate portions ; the first or principal part contains the *contract of sale* of the land ; the other, which is on the right hand, and in a somewhat smaller character, is a *certificate of the registry* of the sale in the office or records of the appropriate jurisdiction. The certificate is more recent, and in a different and more careless handwriting ; and we may hence infer, that this instrument of sale is not a copy, but the original itself.

The contents of the papyrus are, briefly, as follows. In the first part, lines 1 to 5, we have the usual designation of the epoch, or reign, and the names and titles of the sovereigns in whose time the instrument was executed, which were requisite, to give it the proper formalities ; just as the deeds of land in England and this country used anciently to begin with a recital of the king's reign, and a designation of his titles, &c. After the introductory recital, from line 6 to 13, we have the formal statement of the contract, the names of the parties, and, — what is very remarkable, — descriptions of their *persons*, just as they would be given in a modern passport of a traveller in the different countries of Europe.

We have made the following copy, principally from that given by Professor Boeckh, but with the subsequent emendations of Dr. Young and Professor Buttmann ; the latter of whom has particularly elucidated the certificate of registry, by a comparison of it with one of the same kind found on another papyrus, the body of which is written in the national language of the Egyptians, while the certificate itself is in that of their Greek masters.

In the following copy, the *figures* in parentheses designate the lines of the original manuscript ; and the Greek words in brackets, are the different readings of Dr. Young, whose translation we have generally followed.*

* See Young's *Account of some Recent Discoveries in Hieroglyphical Literature and Egyptian Antiquities*, &c., 8vo. London, 1823, — a work, by the way, written in too much haste and under too great agitation, to do justice to the eminent author's well founded claims.

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We subjoin but two or three explanatory remarks, abridged from Dr. Young's publication. The preamble may be illustrated by that of the Rosetta Stone ; in which the reigning sovereigns, with their various epithets, are described in a similar manner. The double date is well known to have been adopted by Cleopatra and Alexander ; and its origin is sufficiently explained by Eusebius and Porphyry. Professor Boeckh makes it the year 104 B. C. ; but from a comparison of different authorities, it seemed to Dr. Young more probable that it was 106 B. C. ; which conclusion he arrived at from a comparison of the chronologies of Porphyry, Champollion Figeac, and Saint Martin.

Such are the contents of this remarkable juridical document, so far as the state of the original text enables us at present to determine its meaning with precision ; and, in this respect, we may add, that there are very few places in it where the reading is not perfectly ascertained, by a comparison of it with two or three others of the kind. When a few more papyri of this class shall be critically examined, there can be no doubt that they will so elucidate each other, as to leave no uncertainty remaining. For, as Dr. Young justly observes, " It is scarcely conceivable, by a person who has not made the experiment, how much the difficulty of reading a depraved character is almost universally diminished by the comparison of two or three copies of the same or of similar passages ; the words, which would be wholly unintelligible in either, taken singly, being often very easily legible when both are at once under the eye ; and, still more commonly, a word, which is confused or contracted in one, being written clearly or at length in another." *

In this place, by the way, we cannot avoid noticing a remark made in a late useful English work, which excites our surprise, and at the same time forebodes, that we must (we are sorry to say it) look to some other country than England for the further elucidations above anticipated. The work we refer to is, the account of the Egyptian Antiquities in the British Museum, published in the year 1836, under the patronage of the well known London Society for the Diffusion of Useful Knowledge, and forming a part of the collection called the " Library of Entertaining Knowledge." The re-

* Young's *Discoveries in Hieroglyphical Literature*, p. 63.

mark we allude to is this: the author says, "The *only* Greek copy which we have seen of this curious document, [the instrument under our consideration,] is in Dr. Young's book" ! So that the revised text by M. Jomard, in Paris, the important emendations of Buttmann, in Berlin, and the critical discussions of the German and French scholars, though published many years before, appear to have been inaccessible to this English writer ; who, in candor, we must admit, is not deficient in cleverness, and has claims to scholarship ; though it cannot be denied, that he has suffered some of his Greek to be printed with a degree of carelessness, that would not be tolerated on the *continent* of Europe, in a work published under the authority of any respectable name.

The subject of this article would afford occasion for much discussion, both critical and juridical ; but that would probably lead us into details of a professional or technical nature, for which our readers generally would not thank us. We will therefore only add, for the information of those persons, who take an interest in these inquiries, that, by a most extraordinary coincidence, after the discovery of the Egyptian deed which has been the subject of this article, a papyrus was found containing the record of a *law-suit* before an Egyptian tribunal, in which reference is made to several title deeds ; by one of which, Asos, the father of the defendants Nechutes and Asos, with *Nechutes the younger*, (the purchaser in our present deed,) bought the land which was in litigation ; and the reader will find, to his astonishment, that two, if not three of the very title deeds referred to in that trial, are still preserved, and are in the possession of an individual in England, (George F. Grey, Esq.) who purchased them of an Arab at Thebes, in January, 1820 ! Surely, this is an age of wonders.*

* *Dixon's Transferring Process*. — This great and invaluable improvement in the lithographic art, was originally announced in the following notice, published in the "Salem Gazette" of May 25th, 1832, which we now have before us. *Seven years afterwards*, (1839), a process apparently similar in its results, though we do not yet know the details of it, was announced as a new discovery, in *France* ; which attracted the notice of the Royal Family and men of science in Paris, and was made the express occasion of their attending an exhibition of it, under the direction of the *French* inventor. It is due to the reputation of our own country, that our claim to the origin of this noble invention, at the date we have mentioned, should be established ; and we, therefore, re-publish here the original announcement of it, as follows :

"We saw yesterday some fine specimens of lithographic printing, executed in this town, at the lithographic establishment of Colonel Peabody and